The Carlton Law Firm, P.L.L.C.

2705 Bee Cave Road, Suite 200 Austin, Texas 78746

Phone: (512) 614-0901 Facsimile: (512) 900-2855

John J. Carlton john@carltonlawaustin.com

April 13, 2016

VIA FIRST CLASS MAIL

Mayor Steve Adler and City Council Members City of Austin Austin City Hall 301 W. Second St., Second Floor Austin, Texas 78701

Re: Request for consent to creation of Hays County Emergency Services District No. 9

Dear Mayor Adler and Austin City Council Members:

Laurie Taylor, James M. Swisher and John T. Mills have filed the attached petition for creation of Hays County Emergency Services District No. 9 (the "District"). The District is proposed for the purpose of funding emergency medical services in the area. The Commissioners Court of Hays County has accepted the petition and held a public hearing to consider whether to grant the petition. Because a small portion of the District is within the City of Austin's extraterritorial jurisdiction ("Austin ETJ"), the City must consent to the inclusion of this area within the District in order for it to be included within the District. (Texas Health & Safety Code §775.014). This letter serves as a formal request that the City consent to creation of the proposed District and allow the District to include the City's extraterritorial jurisdiction.

The petitioners respectfully request to be placed on the City of Austin's agenda as soon as possible, and before July 31st at the latest, under an item titled, "Discuss and consider consenting to creation of the proposed Hays County Emergency Services District No. 9."

A map of the District and the metes and bounds description are included in the attached petition. The Austin ETJ area is very small and to the East of Williamson Road, which is the boundary of the proposed district, in Northeastern Hays County. It is surrounded on three sides by the ETJs of Creedmoor and Neiderwald and the Creedmoor City limits. The map of the proposed district is attached to the petition. In addition, I have enclosed maps of the Austin ETJ area that overlaps the proposed district for your reference.

The petitioners respectfully request that you consent to including the City's extraterritorial jurisdiction in Hays County Emergency Services District No. 9 by adopting a resolution similar to the attached and approving the request in writing.

The Carlton Law Firm, P.L.L.C.

Page 2

If you have any questions, please contact me at your earliest convenience.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.

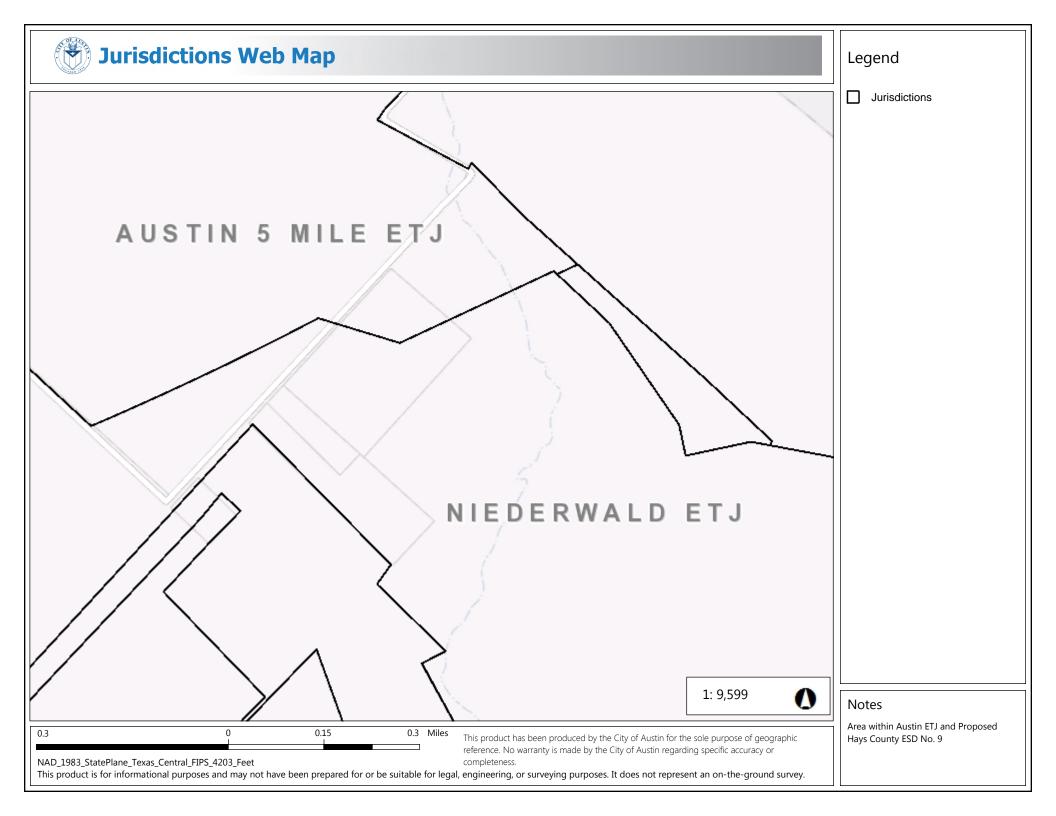
John J. Carlton

Enclosure

cc: Mark Ott, City Manager (via email)

Jannette Goodall, City Clerk (via email) Anne Morgan, City Attorney (via email)

Cary Grace, Assistant City Attorney (via email)



RESOLUTION NO.

A RESOLUTION GRANTING THE CONSENT OF THE CITY OF AUSTIN, TEXAS, TO THE CREATION OF HAYS COUNTY EMERGENCY SERVICES DISTRICT NO. 9

WHEREAS, the City of Austin, Texas (the "<u>City</u>"), has received the petition attached as <u>Exhibit "A"</u>, and a letter requesting the City's consent to the creation of an emergency services district ("<u>District</u>"), proposed to be known as Hays County Emergency Services District No. 9, which includes the extraterritorial jurisdiction of the City within Hays County, and

WHEREAS, the City desires to grant its written consent to the creation of the District;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS that the City gives its written consent to the creation of the District, proposed to be known as Hays County Emergency Services District No. 9, and to the inclusion of the extraterritorial jurisdiction of the City within the boundaries of the District as more particularly described in the petition attached as **Exhibit A**. This consent is valid for a period of six month from the date of its adoption.

PASSED AND APPROVED on the	day of	, 2016
	G. All M	
	Steve Adler, Mayor	
ATTEST:	City of Austin, Texas	
Jannette Goodall, City Clerk		

PETITION FOR CREATION OF EMERGENCY SERVICES DISTRICT

THE STATE OF TEXAS

IN THE COMMISSIONER'S COURT

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COUNTY OF HAYS

§ HAYS COUNTY, TEXAS

TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF SAID COURT:

NOW COME 100 or more qualified voters who own taxable real property in Hays County, Texas pursuant to Texas Health & Safety Code, Section 775.011, requesting the creation of an Emergency Services District and would respectfully show the following:

I.

That the proposed Hays County Emergency Services District No. 9 (the "District") will be created and operated under the provisions of Article III, Section 48-e of the Constitution of Texas and Chapter 775 of the Health & Safety Code of the State of Texas.

II.

That the name of the proposed District shall be "HAYS COUNTY EMERGENCY SERVICES DISTRICT NO. 9."

III.

That the area of the District will overlap portions of Hays County Emergency Services District No. 3, Hays County Emergency Services District No. 6 and the portion of Hays-Caldwell County Emergency Services District No. 1 located in Hays County (collectively, the "Overlapping Districts"), none of which provide emergency medical services, and will generally include all or portions of the city limits of the Cities of San Marcos, Kyle, Wimberley, Creedmoor, Neiderwald, Uhland, Mountain City, and portions of the extraterritorial jurisdiction of the Cities of San Marcos, Kyle, Wimberley, Neiderwald, Uhland, Mountain City, and

Dripping Springs. The boundaries of the District are more particularly described by the description attached as **Exhibit "A"**, which is attached hereto and incorporated herein for all purposes, and generally shown on the attached sketch in **Exhibit "B"**.

IV.

The District will provide emergency medical services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code, but the District will not provide any services provided by the existing Overlapping Districts, as set forth in the statement of services to be provided in accordance with Section 775.018(g) of the Texas Health and Safety Code by each of those districts.

V.

The creation of the District complies with Section 775.0205 of the Texas Health & Safety Code. The petitioners request that the County deliver a copy of this petition to the Board of Commissioners of the Overlapping Districts, and request a statement of services in accordance with Section 775.018(g) of the Texas Health & Safety Code.

VI.

That Laurie Taylor, who resides at 1909 Kirby Ln., Kyle, Texas 78640, and James M. Swisher, who resides at 160 Caliche Trail, San Marcos, Texas 78666, and John T. Mills, who resides at 1625 Twin Cove, Kyle, Texas 78640, petitioners herein, agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, such cost not to exceed one hundred fifty (\$150.00) dollars for Hays County.

VII.

The cities of San Marcos, Kyle, Wimberley, Creedmoor, Neiderwald, Uhland, Mountain City, and Dripping Springs are the only municipalities whose consent must be obtained under Section 775.014 of the Texas Health & Safety Code.

VIII.

The signatures required by the Texas Health & Safety Code, Section 775.011, for the creation of Hays County Emergency Services District No. 9 are attached on **Exhibit "C"** respectively.

WHEREFORE, PREMISES CONSIDERED, petitioner prays that such notices be issued by the County Clerk of Hays County as required by law; that a public hearing be held on this petition in the county; that a copy of this petition be sent to Hays County Emergency Services District No. 3, Hays County Emergency Services District No. 6 and Hays-Caldwell County Emergency Services District No. 1 together with a request for a statement of services; and that, after the hearing, the Commissioners Court of Hays County grant this petition and call a special election regarding the creation of the District.

RESPECTFULLY SUBMITTED this _____ day of _______, 2015.

PETITIONERS:

By:
Printed Name: Laurie Taylor

By:
Printed Name: James M. Swisher

By:
Printed Name: John T. Mills

Exhibit "A"

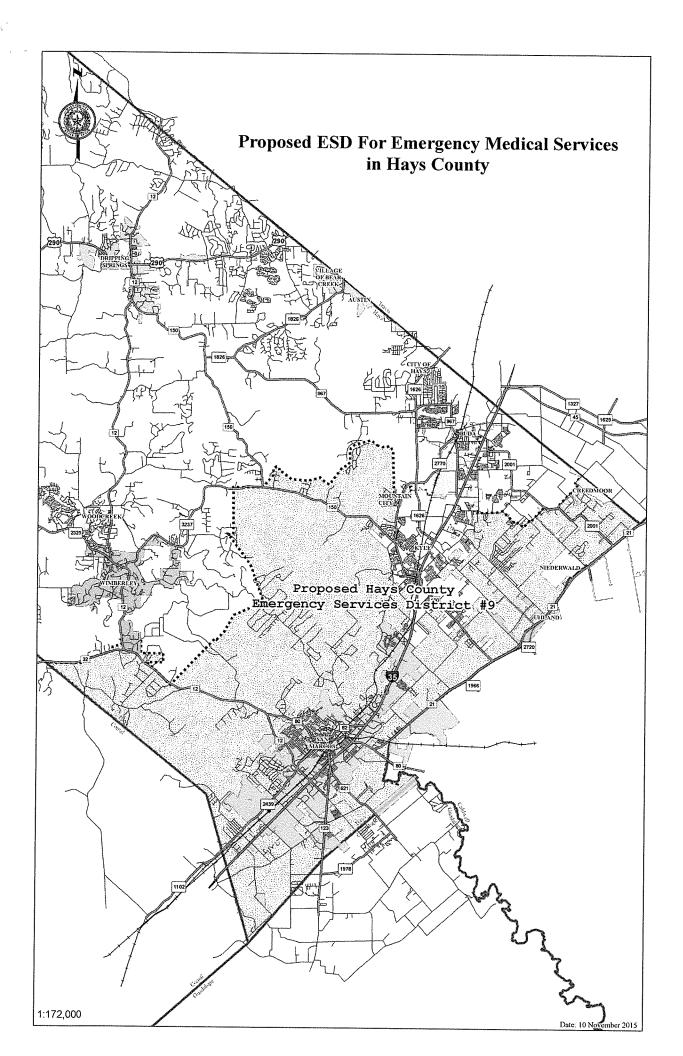
Description of Proposed Hays County Emergency Services District No. 9

Boundary Description

Beginning at the point of intersection of the Hays-Comal County line with the southernmost corner of the boundary of Hays County Emergency Services District No. 7, thence Northerly and Easterly along the boundary of Hays County Emergency Services District No. 7 to the point of intersection with the boundary of Hays County Emergency Services District No. 1, thence Northerly and Easterly along the boundary of Hays County Emergency Services District No. 1 to the point of intersection with the boundary of Hays County Emergency Services District No. 2, thence Easterly along the boundary of Hays County Emergency Services District No. 2 to the point of intersection with the Hays-Travis County line, thence Easterly and Southerly along the Hays-Travis County Line to the point of intersection with the Guadalupe County Line, thence Southerly along the Hays-Caldwell County Line to the point of intersection with the Guadalupe County Line, thence Southerly along the Hays-Guadalupe County Line to the point of intersection with the Comal County Line, thence Northerly and Westerly along the Hays-Comal County line to the point of beginning.

Exhibit B Map of Proposed Hays County Emergency Services District No. 9

[ATTACHED]



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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

Exhibit "C"

Real Property Owners Qualified to Vote in Hays County for Proposed Hays County Emergency Services District No. 9

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C — Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C – Signature Pages

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Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C -- Signature Pages

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Owner IName (s)(s)	(s) ((pijinted))	-	LARKIN JUITH	Miguel	Arrison	Valerie	mendo Fa	(herlate	Happley	William DAM		Janos H. Johns			lang I hand	0	CANAL TO		Howilds Overby	

Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Date	18/8/15	12/8/5	(7/8/15	12/8/15				
Owner Signature		Media	JAN Sonce	My A			•	
Registration	Hays	Hays	五十	Hays				
Date of Voter Registration Birth Number	10/3/1979	F-14-798H	2/15/13	1.8/1889		·		
	10/3	2-1-8	Tel .	1/8				
Mailing Address	//	/)	7	l t				
Residence Address	400 Rummel Or. Kyk	390 Rummel Dr. Kyle	141 cher	110 Clovere Gove 1641, TX 78640				
Owner Name(s) (printed)	Cristian Lugo 400 Rummer		Merins Philopard	Lgan Ng o gun	٠.			

Petition for Creation of Hays County Emergency Services District No. 9 Exhibit $\mathsf{C}-\mathsf{Signature}$ Pages

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Owner Signature	The Will	Malschly	3337	Carefula		The Kall		
County of Registration	HAYS	Shart	Heys	Hays	1443	Hoys	Hays	
Voter Registration Number								
Date of Birth	1-19-72	2 5/10/Co	3/25/70	28/n/11	DECLINE	12/2/26	2/21/82	
Mailing Address	261 Bien Ln Kyli Frysugo	402 West North KYLE 1x 78640 5/10/60	1909 Kirby Lu Kule, Tu 78640	5967 Mcnaught	114 13RAZOSLA 1CYLETY 71/LUO	285 Straun Kyle, TX 28641	(336 Twin Cu Kyle, TX 78640	
Residence Address	261 Brien Ln	-402 West North	1909 Kithy LN	Carly Fretwell 5947 Menaugum 5947 Menaugum 11/4/83	114 BRAZOSLN KYLETY TRULO DECLINE	285 Strawn	.0	
Owner-Name(s) (printed)	mile Vasil	FRANK MARK SCHURZ 4.02 WEST NORTH	Kule Taylor	Carly Fretwall	ERIC HORN	Josh Tod	Laron Cain	

Petition for Creation of Hays County Emergency Services District No. 9 Exhibit C - Signature Pages

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Owner Signature	Hall low		M. M			
County of Registration	Hays	HAYS	Thas			
Voter Registration Number	1071798658					
Date of Birth	58.5-1	os fesfel	56-801			
Mailing Address	New Bridge TX 78640	gung	Sne			
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Owner Name(s) (printed)	KAVHPART	STEPHENSOR	Lovami 5m. 7866	March Mende 5.M. 18666	Hu Mussy 5. M. 7866			

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